

ORDINANCE No. 20-003

ACT TO AMEND THE CODE OF ORDINANCES OF THE TOWN OF TOWNSEND RELATING TO ADOPTION OF THE 2018 EDITIONS OF INTERNATIONAL CODE COUNCIL BUILDING AND SAFETY CODES.

BE IT ENACTED BY THE COUNCIL OF THE TOWN OF TOWNSEND (a majority of the members elected thereto concurring therein):

Section 1. Amend Chapter 14, Section 75 of the Code of Ordinances of the Town of Townsend by striking same in its entirety and by substituting in lieu thereof the following:

“Sec. 14-75. International Codes

(a) That certain documents specified by title below with additions and deletions thereto shall be adopted by reference, one (1) copies of which are on file in the office of the town clerk, being marked and designated as the *International Codes*, 2018 editions, to wit:

- (1) International Building Code, inserting at §101.1 and §1612.3 the phrase “Town of Townsend” and by excepting therefrom Chapters 13, 27, 28 and 29 thereof;
- (2) International Residential Code, inserting at R101.1 the phrase “Town of Townsend” and at R301.2(1) the Table XXX [previously submitted], excepting therefrom Sections R309.5 and R313 and Chapters 11, 12, 13, 14, 15, 16, 17, 20, 21 and 24 and Parts VII and VIII in their entirety and by substituting at R11.7.5.1 the value of “8” for the figure “7 ¾” concerning riser height inches appearing therein;
- (3) International Existing Building Code, inserting at §101.1 the phrase “Town of Townsend”;
- (4) International Swimming and Spa Code inserting at §101.1 the phrase “Town of Townsend”, at §105.6.2 the [permit fee schedule], at §106.5.6.3 the value of X% in two locations [fines] and X # of [days imprisonment] for each violation and at §107.5 the \$X [amounts for minimum and maximum fines for stop work orders];
- (5) International Energy Conservation Code and ASHRAE 90.1/2017 with State of Delaware amendment, inserting at C101.1 the phrase “Town of Townsend”, at C104.2 the [permit fee schedule], R101.1 the phrase “Town of Townsend”, at R104.2 the [permit fee schedule];
- (6) International Property Maintenance Code by inserting at §101.1 the phrase “Town of Townsend”, at §103.5 the [fee schedule for services performed by department], at §112.4 X\$ for [minimum and maximum fines for stop work orders] allowable height, at §302.4 X inches [in height for weeds and grass], at §304.14 [dates for the start and end of required screen doors and windows], and Sections 602.3 and 602.4 [start and end dates for when heating appliances must be operational];
- (7) International Mechanical Code with State of Delaware amendments, inserting at §101.1 the phrase “Town of Townsend”, the applicable permit fee schedule at §106.5.2, the value of X% in two locations at §106.5.3, the values of \$X [fines] and X # [of days imprisonment] for

each violation and at 108.5 the \$X [amounts for minimum and maximum fines for stop work orders] and by striking from §307.1 the phrase “approved plumbing fixture”;

(8) International Fuel Gas Code with State of Delaware amendments by inserting at §101.1 the phrase “Town of Townsend”, at 106.6.2 the [permit schedule] and at §106.6.3 the value of X% in two locations, at §108.4, the values of \$X [fines] and X # of [days imprisonment] for each violation and at 108.5 the \$X [amounts for minimum and maximum fines for stop work orders]; and

(9) International Plumbing Code with State of Delaware amendments, inserting at §101.1 the phrase “Town of Townsend”, and the permit fee schedule at §106.6.2, and the XXX at §106.6.3, and XXX at §108.4 [fines], and at §305.4.1 the value “36 inches” in each of two places referencing to depth of buried building sewer lines” and at §903.1 the value “12 inches” as the height of vent pipe above roof.

(b) All adopted international codes conflicting herewith shall be repealed.

Section 2. Amend chapter 14 of the Code of Ordinances of the Town of Townsend by striking in their entirety Sections 14-76, 14-77, 14-80 and 14-81

Section 3. That if any section, subsection, sentence, clause or phrase of this legislation is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Town of Townsend hereby declares that it would have passed this law, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 4. That nothing in this legislation or in the ICC Codes hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing under any act or ordinance hereby repealed under any act or ordinance hereby repealed as cited in Section 1 of this law; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this

Section 5. That this law and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect immediately upon adoption.

SYNOPSIS

This Act repeals all prior editions of the International Codes as previously adopted and adopts the 2018 International Codes in their stead.